

Regular Session, 2011

HOUSE BILL NO. 497

BY REPRESENTATIVE WOOTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Provides with respect to the crime of extortion

1 AN ACT

2 To amend and reenact R.S. 14:66, relative to the crime of extortion; to provide additional
3 types of threats sufficient to constitute extortion; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:66 is hereby amended and reenacted to read as follows:

6 §66. Extortion

7 A. Extortion is the communication of threats to another with the intention
8 thereby to obtain anything of value or any acquittance, advantage, or immunity of
9 any description. ~~The~~ Any one of the following kinds of threats shall be sufficient to
10 constitute extortion:

11 (1) A threat to do any unlawful injury to the person or property of the
12 individual threatened or of any member of his family or of any other person held
13 dear to him;

14 (2) A threat to accuse the individual threatened or any member of his family
15 or any other person held dear to him of any crime;

16 (3) A threat to expose or impute any deformity or disgrace to the individual
17 threatened or to any member of his family or to any other person held dear to him;

18 (4) A threat to expose any secret affecting the individual threatened or any
19 member of his family or any other person held dear to him;

- 1 (5) A threat to cause harm as retribution for participation in any legislative
2 hearing or proceeding, administrative proceeding, or in any other legal action.
3 (6) A threat to do any other harm.
4 B. Whoever commits the crime of extortion shall be imprisoned at hard labor
5 for not less than one nor more than fifteen years.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Wooton

HB No. 497

Abstract: Adds the threat to cause harm for participation in a legislative proceeding, administrative proceeding, or in any other legal action to the crime of extortion.

Present law establishes the crime of extortion and defines it as the communication of threats to another with the intention to obtain anything of value or any acquittance, advantage, or immunity of any description. Proposed law retains present law.

Present law lists five types of threats sufficient to constitute extortion:

- (1) A threat to do any unlawful injury to the person or property of the individual threatened or of any member of his family or of any other person held dear to him.
- (2) A threat to accuse the individual threatened or any member of his family or any other person held dear to him of any crime.
- (3) A threat to expose or impute any deformity or disgrace to the individual threatened or to any member of his family or to any other person held dear to him.
- (4) A threat to expose any secret affecting the individual threatened or any member of his family or any other person held dear to him.
- (5) A threat to do any other harm.

Proposed law retains present law and adds to the crime of extortion a threat to cause harm as retribution for participation in any legislative hearing or proceeding, administrative proceeding, or in any other legal action.

(Amends R.S. 14:66)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added a threat to cause harm as retribution for participation in any legislative hearing or proceeding, administrative proceeding, or in any other legal action as an element of the crime of extortion and deleted all other types of threats in proposed law.